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Viewing cable 08SANJOSE763, COSTA RICA: AUGUST 28 UNSC BILATERAL CONSULTATIONS

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Reference ID	Created	Released	Classification	Origin
08SANJOSE763	2008-09-23 13:23	2011-08-30 01:44	CONFIDENTIAL	Embassy San Jose

Appears in these articles:

<http://www.nacion.com/2011-03-10/Investigacion/NotasDestacadas/Investigacion2707705.aspx>
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DEPARTMENT FOR WHA/CEN, NEA, IO/UNP JMARIZ, AND USUN
JDELAURENTIS.

E.O. 12958: DECL: 09/10/2018
TAGS: [EFIN](#) [IZ](#) [PGOV](#) [PINR](#) [PREL](#) [UNSC](#) [UN](#) [CS](#)
SUBJECT: COSTA RICA: AUGUST 28 UNSC BILATERAL CONSULTATIONS

REF: A. SAN JOSE 707
[1](#)B. SAN JOSE 730

Classified By: Political/Economic Counselor David E. Henifin for reason 1.4(d).

11. (C) SUMMARY: IO Acting A/S Brian Hook's August 28 bilateral consultations with the MFA on UNSC matters were successful in bringing the U.S. and the GOCR to mutual understanding - if not agreement - on a range of UNSC issues.

A/S Hook lobbied the MFA for greater cooperation on speed in the UNSC, better voting coincidence, and not automatically voting in favor of UN Human Rights Council reports. The MFA:

- shared U.S. concerns and views on Georgia;
- boxed itself in on its support of the ICJ, making it unfeasible for the GOCR to be critical of Serbia's decision to bring the case of Kosovo independence to the ICJ;
- was appalled by the lack of any UNSC action and "complete silence" regarding Pakistan in relation to non-proliferation, in contrast to strong UNSC pressure on Iran;
- would "not acquiesce" in its resistance to closing down Oil-for-Food without assurances that goods were delivered in accordance with contracts (Ref A);
- seemed to have a well-reasoned rationale for recognizing "State" of Palestine, taking into account Costa Rica's "yes" vote on UN Resolution 181 and the GOCR desire to give a strong show of support to Abbas, in the face of Hamas;
- had a clear position against adding more UNSC permanent members and preferred to focus on working methods reform;
- said it would re-examine its voting in favor of Human Rights Council reports and would consider Costa Rica's 14 percent Overall voting coincidence with the U.S.; and
- planned two thematic debates for its UNSC presidency in November: the first on regional security agreements under Chapter 8 of the UN Charter presided by President Arias (Ref B), and the second on peace and security issues under Chapter 16 presided by FonMin Stagno. A/S Hook did not clear this cable. END SUMMARY.

WITH THE FONMIN: OF GEORGIA, KOSOVO AND THE ICJ

12. (SBU) Acting A/S Brian Hook's August 27-28 visit was an excellent opportunity to engage in bilateral consultations with the MFA on UNSC matters. The timely visit followed up on the March visit by PDAS Jim Warlick and IO and USUN staff (Ref B). The consultations began with a small meeting between FonMin Stagno, the MFA's Antonio Alarcon (COS) and Christian Guillermet (P-equivalent Director for Foreign Policy); Ambassador Cianchette, Acting A/S Hook and IO SA Erin McLinn. A larger meeting of both delegations followed. See para 21 for delegation lists. The following, for the record, are the highlights of those consultations.

13. (SBU) In the principals meeting, IO Hook relayed to us that the GOCR was "with us on Georgia," but that pushing Costa Rica on the ICJ Serbia/Kosovo issue would be to no avail since the Costa Ricans had already "boxed themselves in" on support of the ICJ.

WITH MFA TEAM: NON-PRO ISSUES, IRAN AND PAKISTAN

14. (C) In the larger meeting, Stagno expressed dismay regarding the lack of any UNSC attention to Pakistani nuclear proliferation - either by state or non-state actors - including the A.Q. Khan case, for which Khan only received a "slap on the wrist." Stagno supported UNSC and international community pressure on Iran and its challenge to the architecture of the international non-proliferation regime, but was "baffled" by the "complete silence" on Pakistan. As chair of the 1540 Committee, Stagno said Costa Rica felt "uncomfortable" not raising the issue of Pakistan and the A.Q. Khan network, though he understood the political complications that raising the issue might have on the War on

Terror, the Taliban, and the new Pakistani government. Stagno pointed out the "nightmare scenario" of non-state actors possessing nuclear technology or materials and decried Pakistan's visible "non-compliance" vis-Q-vis a non-state actor, as in the Khan case. The MFA was worried that the UNSC was sending "distinct and incomprehensible messages" on non-proliferation and was "negligent" by ignoring Pakistan. The GOCR did not advocate lighter treatment of Iran, just appropriately heavier treatment of Pakistan.

15. (C) Hook agreed that Pakistan's reports were "cleansed of any truth." He told the MFA that the Proliferation Security Initiative (PSI) was the Bush Administration's response to the A.Q. Khan case since Khan accomplished what he did through shipping activity and did not run a proliferation organization per se. (NOTE: Costa Rica has not signed on to the PSI but did attend the May 29 PSI workshop in Washington organized by ISN/CPI. END NOTE.) Hook also pointed to UNSCRs 1540 and 1803 as steps that U.S. had taken to address proliferation issues. Hook promised to review applicable non-proliferation language used for North Korea and to get back to Stagno with a possible approach.

OIL FOR FOOD

16. (C) On the Oil-for-Food program (reported Ref A), Stagno recognized there was political pressure to close down OFF and that the remaining funds were "negligible" in the grand scheme of things. However, he said the GOCR would "not acquiesce" unless it received assurances that goods had been delivered. The MFA offered no solutions, but agreed to a SYG Briefing on the matter. Hook told Stagno that the political reality of the P5's desire to close down the program was separate from principle, though both concerns were valid. He urged that the "perfect not be the enemy of the done." Hook said he would call Under-Secretary-General Chris Burnham for more background and see if there was a way through the issue.

THEMATIC DEBATES IN NOVEMBER

17. (SBU) Stagno told us that Costa Rica planned two thematic debates for its November UNSC presidency. The first, to be presided over by President Arias, would focus on how regional security arrangements (under Chapter 8 of the UN Charter) could reduce tensions and military spending. (See invitation to POTUS, Ref B.) Stagno will preside over the second debate, which will deal with peace and justice issues under Chapter 16. Regarding regional security arrangements, Stagno said that Latin America had never been more democratic, yet military spending continued to increase. He noted that Venezuela was not the only concern; Chile, too, was re-building its military, even though it was a well-established democracy facing no serious regional threat.

18. (SBU) Thus, the MFA believed that regional security arrangements could generate significant confidence building measures which in turn would limit military spending which was unjustified because there were no interstate conflicts (or immediately foreseeable conflicts). (NOTE: This proposal is in line with the a) GOCR's push in the UN for a conventional arms transfer treaty and overall arms control and b) GOCR's push for the "Costa Rica Consensus" to lower world weapons expenditure and beef up world foreign assistance to those who disarm. END NOTE.)

MIDDLE EAST PEACE AND THE PALESTINIANS

19. (C) Regarding the Middle East peace process, Stagno gave the most detailed rationale we had heard for the GOCR's recognition of the Palestinian "state" (Ref D). The FonMin said that recognition was calculated to provide support for

President Abbas and impetus for the ultimate creation of Palestine, as set forth in UN resolution 181, which Costa Rica supported. Stagno appeared frustrated that mechanisms such as UN Resolution 181, the Oslo Accords, the Madrid Plan, and the Road Map - which all called for tiered processes to establish a Palestinian State within certain time frames - were always derailed by "spoilers" before they could get to fundamental issues such as the status of Jerusalem; settlements; borders; security arrangements; and the right of refugee return. Stagno assured us that Palestinian recognition did "not prejudice" the GOCR's view on these fundamental issues. Stagno cautioned that if the international community did not back Abbas and the moderates, then Hamas would be emboldened and the GOCR did not want to see a further Hamas victory. Stagno, however, said that he was "uncomfortable" with the UN being put on par with member states in the Quartet.

¶10. (C) Hook stressed to Stagno that Middle East peace was a top priority of POTUS and the Secretary. He said the Quartet was the current mechanism and the SYG's role is more one of "using his good offices" in negotiations. Hook warned that UN and UNSC dialogue on Israel was a big problem for the U.S., given Libya's recent toxic remarks on the Council. The UN had not been effective on Israel, he added, due to the bias of many member states, and Israel remained an issue for the U.S. image around the world. Under these circumstances, Hook suggested that in multilateral fora, USG goals should be to "first, do no harm," to our Middle East objectives and work for breakthroughs outside the UN. At Stagno's request, Hook said he would touch base with NEA PDAS David Welch to assess the status of the peace process and get back to Stagno.

¶11. (SBU) On a related issue, Stagno criticized Israel for not doing its own demarches while leaving the U.S. to do the brunt of Israeli lobbying around the world. While he was UN Ambassador, Stagno remembered only being demarched twice. MFA Foreign Policy Director Guillermet said that during his six years in Geneva, he never received a demarche from Israel.

COUNCIL REFORM/EXPANSION AND THE NEED FOR SPEED

¶12. (C) On UNSC reform, the FonMin reiterated GOCR opposition to expansion, for four reasons. First, as a small country looking at an enlarged UNSC, Costa Rica's odds of holding a non-permanent seat again in the future would be reduced. Second, Costa Rica did not approve of all the candidates nations and their respective credentials. India was not yet a party to the NPT, for example; Brazil would be unfairly upgraded over Mexico when Mexico paid more UN dues; Japan's UN contributions were dwindling; and as part of the EU with a common foreign policy, a seat for Germany would be redundant with France and Britain already permanent members. Third, the MFA believed the UNSC would have more credibility via modification of its working methods (such as ending the silent veto). Fourth, with a drawn-out process of elections, surprise members may get in due to "voter fatigue," as happened with Mexico and Panama after contentious UNSC elections in the past. Stagno cautioned that "sometimes you don't get what you are expecting" and cited examples of an accidental election of a Nigeria or Libya, which would provide those countries with unmerited moral authority.

¶13. (C) Stagno claimed that the S5 shared views with GOCR on working methods - but not on enlargement - and that there would be insufficient value added by enlargement of the UNSC. Hook responded that the U.S. wanted a more efficient and effective Council, and that though the U.S. has been on the record with its support of Japan for some time, it was hard to imagine consensus-building being any easier in an enlarged Council; consensus was elusive enough with 15 members.

¶14. (C) Hook addressed the GOCR's action on Zimbabwe in July, where the GOCR UN Mission examined the Mugabe sanctions

resolution text for more than a week (Ref C), thus giving Russia and China the "cover of time" to veto it. Hook said it took the UNSC two weeks to "show up on the grid and take action," overtly hinting that Costa Rica's delays cost the opportunity for unified Council action; by the time of the veto, it was not front page news. Hook told Stagno that speed was "very important in the UNSC or we lose momentum for action." Stagno defended the GOCR's desire for text-tweaking and said the resolution needed a well-defined start date for sanctions - and that date could not have been when Mugabe was born! He noted that the GOCR "eventually agreed" on the resolution. The GOCR saw the resolution as a "wonderful opportunity" to send a clear message to standing Heads of State about violations committed during the electoral process.

BURMA AND SPECIAL ENVOYS

¶15. (C) On Burma, Hook expressed U.S. dissatisfaction with special envoys in general, since they tend to take the place of or delay UNSC action and give a false sense of progress, while the regime exploited the talks to buy time. Hook stressed that the U.S. was at the "end of its rope" with UN Special Envoy Ibrahim Gambari. Hook asked Stagno to help think of a face-saving way to get rid of Gambari, adding that Aung San Suu Kyi did not even want to meet with him anymore. Stagno did not have the best impressions of Gambari, either.

VOTING COINCIDENCE WITH THE US

¶16. (SBU) On U.S. agenda items, Hook told Stagno of IO's new initiative to improve voting coincidence with 25 like-minded, democratic countries. When asked to guess the percentage of GOCR's overall votes with the U.S., Stagno guessed "30 percent of the time." Stagno seemed surprised when Hook told him that the real number was only 14 percent. Hook signaled that appropriators in Congress could see this with disapproval - especially for those who receive U.S. foreign assistance - and would not understand why there was such a gap. Hook acknowledged the GOCR spoke with "moral clarity" on human rights issues, and he promised to send Stagno a recent Heritage Foundation study on the subject of voting coincidence.

¶17. (SBU) On voting coincidence, while Stagno made it clear that the GOCR did not have to be in "lock step" with the U.S. and should not be expected to be, he acknowledged that he had not seen voting coincidence reports since he was UN Ambassador in 2005. (NOTE: We have passed Stagno's office the 2007 Department Report on UN Voting Practices.) Stagno noted that when the GOCR examined voting records then, the differences were often due to U.S. votes on issues such as climate change and disarmament and not due to specific US-Costa Rica disagreements. He evinced openness to further conversation on this topic.

AND WHAT ABOUT THE HUMAN RIGHTS COUNCIL?

¶18. (C) Finally, Hook asked why the GOCR voted in favor of the annual Human Rights Council Report when the body's work was not credible. Stagno explained that the GOCR supported reform in 2005 and the creation of the Human Rights Council and the Peacebuilding Commission, though the international community got the worst results - the old Human Rights Commission with a new name. Stagno felt that some elements of the annual reports were favorable, so they voted in favor.

¶19. (C) Hook argued that just because it is a human rights body the HR Council did not deserve automatic support, and that by voting in favor of the report, members -- especially with strong HR records like Costa Rica -- legitimized the HR Council's work. Hook pointed out that HR Council reform

would come faster if we sent the message that the HR Council was not serious about human rights and we let it "run off the road into a ditch" itself. Hook suggested that the MFA consider a resolution calling on the UNGA to take action on the annual HR Council reports, with a positive vision (not just critical), for continued HRC operation but under two to three clear conditions. Hook suggested that the U.S. and the GOCR touch base with each other - and with Panama - when the next report came out. Stagno conceded that Hook had a "valid point," offered to study the issue further, and stated that the GOCR did not fear "major surgery in the HRC."

COMMENT

¶20. (C) It remains clear that the GOCR wants to make a difference in the Security Council. Though we did not agree on all points, the dialogue during these consultations was an important and timely opportunity to coordinate on important issues. Stagno and his MFA team appreciated the chance to compare views as "equal members" of the Council, and he was, as always, impressively on top of his complex and comprehensive portfolio. These consultations may not drastically alter GOCR behavior, however. We expect the GOCR will continue to stand on principle and try to improve procedures at every opportunity in the UNSC, sometimes at the expense of speed and substance. Being "courted" by the Department's top IO official in these consultations may help, however. With Stagno clearly in charge of Costa Rica's UN policy (as reaffirmed to us on September 17 by COS Alarcon), calls to Stagno from A/S Hook from time to time may generate more GOCR cooperation on select issues.

¶21. (U) Participants:

GOCR:

- Bruno Stagno, Foreign Minister
- Antonio Alarcon, FonMin's Chief of Staff
- Christian Guillermet, Director, Foreign Policy
- Adriana Murillo, Human Rights Officer and UNSC Team Leader
- Juan Salas, UNSC Desk Officer
- Deyanira Ramirez, UN Desk Officer
- Carlos Cordero, Disarmament and Organized Crime Officer, UNSC Team

USG:

- Ambassador Cianchette (opening session)
- Brian Hook, IO Acting A/S
- Erin McLinn, IO Staff Assistant
- David Henifin, Pol-Econ Counselor
- Cheryl Neely, PolOff

CIANCHETTE